

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2008-002113

08/04/2008

HON. RANDALL H. WARNER

CLERK OF THE COURT

C. Danos

Deputy

IN RE THE MATTER OF  
BRIAN SCOTT BURTON

BRIAN SCOTT BURTON  
1318 N 85TH PL  
SCOTTSDALE AZ 85257

AND

LORENA GROENEVELD

LORENA GROENEVELD  
16252 S 1ST ST  
PHOENIX AZ 85048

CONCILIATION SERVICES-CCC  
FAMILY COURT SERVICES-CCC  
ALL TESTS INTERNATIONAL  
745 N GILBERT ROAD  
SUITE 124-PMB287  
GILBERT AZ 85233

MINUTE ENTRY

Courtroom 911 -- East Court Building

10:34 a.m. This is the time set for resolution management conference and temporary orders hearing. Petitioner/Father Brian Scott Burton is present on his own behalf. Respondent/Mother Lorena Groeneveld is present on her own behalf.

A digital audio recording of this proceeding is being made by the "For the Record" recording system in lieu of a court reporter.

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Case status is discussed.

**IT IS ORDERED** that the parties exchange all financial information regarding their incomes and also exchange current Affidavits of Financial Information within 30 days.

**CONCILIATION SERVICES**

**IT IS ORDERED** the parties are referred to Conciliation Services for a non-confidential **Parenting Conference** on September 23, 2008 at 8:00 a.m. and any other services that Conciliation Services deems necessary and/or appropriate including a Family Transition Guide Workshop if eligible.

**IT IS FURTHER ORDERED** that each party is directed to immediately go to Conciliation Services and complete necessary forms following this hearing. This Court has contacted Conciliation Services and set the initial Parenting Conference for **September 23, 2008 at 8:00 a.m.** in Conciliation Services.

**IT IS FURTHER ORDERED** that Conciliation Services shall conduct an interview of the parties' minor child Garrett Warren Groeneveld, (DOB 02/02/08), unless the conciliation officer determines that the child is too young to be interviewed or that interviewing the child would be detrimental to the child.

**WARNING**

**YOU WILL HAVE TO PAY A \$200 FEE IF YOU DO NOT ATTEND THE PARENTING CONFERENCE SESSION. IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.**

**IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE PARENTING CONFERENCE SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE. A COPY OF THE WRITTEN SETTLEMENT, DATED AND SIGNED BY BOTH PARTIES, MUST BE DELIVERED TO CONCILIATION SERVICES.**

With respect to parenting time,

**IT IS ORDERED** that Father is entitled to four hours of parenting time each week with the child supervised by a member of Mother's family other than maternal grandmother unless the

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parties agree. Two hours on Wednesday at a time agreed upon, two hours on Saturday at a time agreed upon.

**IT IS FURTHER ORDERED** that communications regarding the times and places of parenting time shall be by email or text message. The court is not opposed to the parties verbally discussing parenting time, but wishes there to be a record in case there are disputes as to what was agreed upon.

If the parties cannot agree on a time and place to exchange the child for Father's parenting time, it shall take place at the Food Court at Chandler Fashion Center on Wednesday at 11:00 a.m. for two hours and on Saturday at 11:00 a.m. for two hours.

This time may be varied by agreement of the parties, but if they cannot agree, this schedule shall control.

With respect to child support,

**IT IS ORDERED**, on a temporary basis, subject to reallocation depending on what is determined at trial, that Father shall pay Mother \$500 per month as and for child support, plus \$2.25 per month as and for the Clearinghouse Handling Fee for a total of \$502.25 per month, effective September 1, 2008

All payments shall be paid through the Support Payment Clearinghouse, P.O. Box 52107, Phoenix, AZ 85072-2107.

**LET THE RECORD REFLECT** that an Order of Assignment is initiated electronically this date.

**LET THE RECORD FURTHER REFLECT** the courtroom clerk has updated Father's employer information as reflected on the Current Employer Information form filed.

**FILED:** Current Employer Information form.

Until the Order of Assignment becomes effective, it is the responsibility of the party obligated to pay child support to pay the support through the Support Payment Clearinghouse. The payment should include the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

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Any change in the paying party's employment and any change in the residential address of either party must be submitted to the Clerk's Office, in writing, within 10 days of the change (A.R.S. § 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of court.

**TRIAL SETTING**

**IT IS ORDERED** setting Trial to the Court on **October 31, 2008 at 11:00 a.m.** (one hour) in this division before:

**The Honorable Randall H. Warner  
Maricopa County Superior Court  
East Court Building  
101 W. Jefferson  
9<sup>th</sup> Floor, Courtroom 911  
Phoenix, AZ 85003**

Failure of a party to appear may result in the Court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least 30 days before the hearing setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

**IT IS FURTHER ORDERED** with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to trial.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed at least 15 days prior to trial.
3. Counsel and both parties shall personally meet, face to face, at least ten (10) days before trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all

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exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorneys' fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

**IT IS FURTHER ORDERED** that the parties shall file and provide this Division with a copy of a Joint Pretrial Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days prior to trial.

**IT IS FURTHER ORDERED** that the Joint Pretrial Statement shall include:

1. A current Affidavit of Financial Circumstances completed by each party.
2. If there are disputed custody, access or visitation issues, a specific proposal for custody and parenting time.
3. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. § 25-351 et seq.
5. If there are disputed issues regarding division of property, a current and detailed Inventory of Property and Debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property valued at more than \$500 each.
6. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.

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7. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including the creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. § 25-318(H).

8. If there is a disputed issue regarding the payment of attorneys' fees by either party, an affidavit of the attorneys' fees claimed submitted in accordance with the requirements of Rule 78(D), Arizona Rules of Family Law Procedure.

**IT IS FURTHER ORDERED** that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

**IT IS FURTHER ORDERED** that exhibits for use at trial shall be delivered to the Clerk of this Division at least **five (5) days** prior to trial for marking. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

**IT IS FURTHER ORDERED** that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

**IT IS FURTHER ORDERED** that any party filing a request for findings of fact and conclusions of law pursuant to Rule 82, Arizona Rules of Family Law Procedure, shall submit proposed findings of fact and conclusions of law to this Division no later than 20 days prior to trial. Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure. Should the parties reach a full agreement prior to the date of the hearing, the Court will consider a motion to vacate the hearing **ONLY AFTER A SIGNED STIPULATED AGREEMENT IS PRESENTED TO THE COURT.**

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Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

**NOTE:** All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

With respect to paternity testing,

**IT IS ORDERED** that both parties participate in paternity testing through:

**All Tests International**  
1425 W. Elliott Road  
Suite 207  
Gilbert, Arizona 85233  
1-800-833-0680

for a paternity test. Father shall appear in person within the next **15 days** and Mother shall bring the child for testing within the next **15 days**. The expense of the tests shall be borne by Father subject to reallocation.

11:03 a.m. Matter concludes.

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/ s / HON. RANDALL H. WARNER

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JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

BRIAN SCOTT BURTON: Non IV-D Payment Instructions